UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

M.K.L., by and through her parents, J.K. and R.L.; and J.K. and R.L., individually and on their own behalf, Plaintiffs, v. SEATTLE SCHOOL DISTRICT NO. 1, KING COUNTY, STATE OF WASHINGTON, also known as SEATTLE PUBLIC SCHOOLS; NATHAN HALE HIGH SCHOOL; and DR. WILLIAM JACKSON, in his individual capacity, and on behalf of his marital community, Defendants.	Case No. 2:25-cv-2334 **COMPLAINT** **JURY TRIAL DEMAND**

NATURE OF THE ACTION

1. Education opens doors, broadens horizons, and equips students to shape their own future. Parents have high aspirations when they entrust their children to a school. But the absolute minimum expectation of all parents is that the school will provide their children a safe learning environment. Parents expect the school to guarantee their children the opportunity to learn and grow without worrying about the color of their skin, ancestry, ethnicity, religion, sex, or national origin. This case is about what happens to a child and her family when a school fails to live up to that fundamental guarantee, and instead fosters an environment of unlawful discrimination and harassment that prevents a child from enjoying the benefits of an education.

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2. In the fall of 2023, M.K.L. was a 14-year-old student eager to start her freshman year at Nathan Hale High School ("Nathan Hale"). M.K.L. was excited about meeting new teachers, making new friends, and learning new things. High school also presented a chance for others to get to know M.K.L. for who she was: a Jewish girl who was proud of her Jewish identity. The granddaughter of Holocaust survivors, M.K.L. frequently wore a Star of David necklace, attended synagogue with her family, and celebrated her bat mitzvah with family and friends. But sadly, that identity would soon be weaponized against M.K.L. And what should have been a year of growth, exploration, and wonder would spiral into a trauma-fueled nightmare.

3. The spiral began shortly after the October 7, 2023, attack on Israel, when M.K.L.'s classmates began to bully her and eventually threaten her with physical violence. M.K.L. and her parents, J.K. and R.L., repeatedly alerted the school, including then-Principal Dr. William Jackson and other members of the faculty and administration, about this harassment.

4. Seattle School District No. 1 ("Seattle Public Schools" and/or "SPS")—which includes Nathan Hale—maintains written rules requiring school personnel to report, investigate, and respond to allegations of harassment, bullying, and discrimination. And SPS, Nathan Hale, and Jackson routinely followed these policies and procedures when responding to reports that involved harassment and discrimination on every other basis—except antisemitism. They repeatedly ignored Plaintiffs' reports, failing to take the steps necessary to address the increasingly hostile learning environment that M.K.L. was experiencing at Nathan Hale.

5. Nathan Hale students got the message. Emboldened by Defendants' indifference, they intensified their attacks on M.K.L. The harassment culminated on May 22, 2024, when an angry mob of approximately 20 students descended on a classroom as M.K.L. was about to exit. The school teacher had to barricade M.K.L. inside the classroom for her own safety, as students pounded on the door, shouting for M.K.L. to confront them. And yet, even after this traumatic incident, Defendants refused to take reasonable measures to protect M.K.L.

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6. That left J.K. and R.L. no real choice. They had to pull M.K.L. from Nathan Hale and enroll her in another school district. Remaining at Nathan Hale was just not safe, never mind conducive to learning.

7. Defendants' failure to take reasonable steps to protect M.K.L. denied her the educational opportunities to which she was entitled under state and federal laws. As a result of the harassment and discrimination that Defendants permitted, M.K.L. has been diagnosed with post-traumatic stress disorder. And her parents, J.K. and R.L., had to watch helplessly as their daughter slowly slipped away to become a shell of her previous self, and they too have suffered from severe emotional distress. Every day, they struggle with the guilt of having entrusted their child to a school and a principal who were unwilling to protect her.

8. This complaint alleges claims under Title VI of the Civil Rights Act of 1964, § 601, 42 U.S.C. § 2000d; 42 U.S.C. § 1983 (Equal Protection); Washington Constitution, Art. I, § 12 & Art. IX, § 1; Wash. Rev. Code. Ann. Ch. 28A.642; Wash. Rev. Code Ann. Ch. 49.60; and Washington common law.

THE PARTIES

9. Plaintiff M.K.L. is a natural person and minor residing in Seattle, Washington, and sues here by and through her parents, J.K. and R.L.

10. Plaintiff J.K. is M.K.L.'s mother and a natural person residing in Seattle, Washington, and sues here on behalf of her minor daughter, as well as individually and on her own behalf.

11. Plaintiff R.L. is M.K.L.'s father and a natural person residing in Seattle, Washington, and sues here on behalf of his minor daughter, as well as individually and on his own behalf.

12. Defendant SPS is a public school district in the State of Washington. The State has classified SPS as a first-class district, and SPS is operated in accordance with the laws and

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regulations pertaining to first-class districts. SPS receives federal funding and received approximately $75.9 million in federal funds for the 2023-2024 school year.[1]

13. Defendant Nathan Hale is a high school located in Seattle, Washington, which is part of SPS.

14. Defendant Jackson is a natural person residing in Kenmore, Washington. He was the Principal of Nathan Hale, and thus an SPS employee, from July 2020 to June 2024.

JURISDICTION AND VENUE

15. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331 because Plaintiffs' claims arise under the following federal statutes: Title VI of the Civil Rights Act of 1964, § 601, 42 U.S.C. § 2000d; and 42 U.S.C. § 1983. The Court also has jurisdiction over the claims arising under Washington law pursuant to 28 U.S.C. § 1367.

16. This Court has jurisdiction over all Defendants because they are all either incorporated in, have their principal place of business in, or reside in this judicial district.

17. Venue is proper pursuant to 28 U.S.C. § 1391 because the events giving rise to Plaintiffs' claims occurred in this district and all Defendants are incorporated in, have their principal place of business in, or reside in this district.

FACTUAL BACKGROUND

A. Nathan Hale Students Begin Harassing M.K.L. in the Aftermath of the October 7, 2023, Attack on Israel.

18. Following Hamas's October 7, 2023, attack on Israel, tensions quickly rose across the entire SPS system. SPS emailed parents about the problem and shared resources about how to discuss the war. But the leaflets went unheeded. In the coming weeks and months, Nathan Hale devolved into a cauldron of antisemitism.

19. M.K.L. spoke openly at Nathan Hale about her Jewish identity. She wore a Star of David necklace and Chanukah attire to school. And she was a member of the Jewish Student Union. Soon after the attack on Israel, some students started disparaging M.K.L.'s Jewishness and

[1] *See* SPS 2025-2026 Recommended Budget 19, https://www.seattleschools.org/wp-content/uploads/2023/08/2025-26-Recommended-Budget.pdf.

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hurling antisemitic slurs as they passed her in the hallway. From there, the harassment escalated. Students told M.K.L. they hated Jews. They expressed their regret that Hitler had not finished the job.

20. The hateful slurs and insults escalated even further into antisemitic graffiti. Someone drew a Swastika in pencil on a desk in one of M.K.L.'s classrooms. M.K.L. reported this to her teacher. Yet, upon information and belief, the school failed to investigate the incident, much less identify the perpetrator. Jackson did not even acknowledge the Swastika in his weekly emails addressing issues facing the Nathan Hale community.

B. Nathan Hale Authorizes Students to Promote a Walkout in Support of the "Free Palestine" Movement, and Students Threaten M.K.L. with Physical Violence.

21. On or about November 9, 2023, students at Nathan Hale organized a walkout in support of the "Free Palestine" movement. Students promoted the walkout on social media and posted flyers throughout the school. Jackson and Nathan Hale administrators knew about the planned walkout. Upon information and belief, they approved plans to display the flyers on school grounds.

22. In the days leading up to the walkout, M.K.L. suffered two incidents that caused her to fear for her safety. First, students threatened to "jump" M.K.L. if she wore any clothing associated with Judaism on the day of the walkout. Then, a group of students screamed at M.K.L., accusing her of being Islamophobic. One student screamed so close that she spat on M.K.L. The student announced she would do it again because M.K.L. deserved it.

23. The day before the walkout, J.K. emailed Jackson twice to express her concerns about her daughter's safety. J.K. was concerned that other students would physically attack M.K.L. on the day of the walkout. Jackson never addressed those concerns. And so J.K. kept her daughter at home on the day of the walkout to protect her safety.

24. The harassment escalated further after the walkout. M.K.L. found another Swastika, this time drawn in permanent marker on her own desk. Once again, M.K.L. reported the Swastika to her teacher. And once again, upon information and belief, Defendants neither investigated nor held anyone accountable.

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25. M.K.L. told SPS employees about these events. Among them was the faculty advisor for Nathan Hale's Jewish Student Union. The advisor promised to notify Jackson.

26. When M.K.L.'s efforts proved unavailing, J.K. asked Jackson for an in-person meeting to discuss concerns about M.K.L.'s safety at Nathan Hale. Jackson conveyed just how little the topic concerned him by suggesting a phone call would suffice. Jackson finally agreed to a face-to-face meeting only after J.K. insisted, emphasizing the gravity of the situation. At the meeting, J.K. and M.K.L. recounted to Jackson ways in which students persistently harassed M.K.L. for being Jewish, including the various insults and threats students made directly to M.K.L. Jackson acknowledged that he knew of the ongoing harassment, bullying, and intimidation that M.K.L. was experiencing at school, and even knew about the student who spat on M.K.L. Jackson told J.K. that Nathan Hale is equipped with security cameras, and he agreed to review the security footage to identify students who had been harassing and threatening M.K.L. Jackson also assured M.K.L. that she could come to him directly with any further reports of Swastikas or any other antisemitic events at school.

27. Despite these assurances, upon information and belief, Defendants failed to hold any student accountable for harassing or threatening M.K.L., and those same students continued their campaign against M.K.L. with impunity for the rest of her time at Nathan Hale. These failures mark a sharp deviation from SPS's policies for investigating and responding to reports of discrimination and harassment. They also stand in stark contrast to the diligence and thoroughness with which Defendants routinely addressed reports that did not involve Jewish complainants.

28. On or about November 13, 2023, the Jewish Community Relations Council sent a letter addressed to the SPS Board of Directors and Superintendent. The letter warned that Jewish students were experiencing an extreme rise in antisemitism and requested that the school administration provide antisemitism training to all SPS staff. On information and belief, SPS did not provide any district-wide antisemitism training to SPS employees or investigate the antisemitic harassment of Jewish students.

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29. On or about November 17, 2023, Jackson emailed the families of Nathan Hale students to warn them about reports of rising antisemitism in the school community. The email said that Jewish students and families felt "unsafe and unwelcome" at the school. Jackson's solution was as callow as it was callous: *Families* should limit their children's unaccompanied screen time. This was a public abdication of all responsibility. Jackson did not commit to take any measures to investigate or address the antisemitism he acknowledged. He did not issue stern warnings of zero-tolerance, much less hold anyone accountable for this continued harassment and hostile environment. The message to M.K.L. and her parents—and other Jewish families—was loud and clear: You're on your own.

C. Antisemitism at Nathan Hale Intensifies.

30. The rest of the student body got the message too. With indifference at the top and impunity for all, the escalation of harassment was inevitable. The hostility intensified throughout the rest of 2023 and into 2024, with essentially no response from Defendants.

31. On one occasion, one of M.K.L.'s teachers assigned the book *Night* by Nobel laureate Elie Wiesel as part of the ninth-grade curriculum. During class discussion, M.K.L. opened up to her teacher and classmates. She shared her family's experience during the Holocaust, including accounts of ancestors orphaned and murdered in the Nazi death camps. M.K.L. shared very personal facts including how she was named after her grandma who survived a beating from the Hitler Youth before fleeing Germany.

32. M.K.L.'s classmates reacted with cruel antisemitism. Some students openly laughed at the Nazi atrocities read aloud in class. Another student reported that a classmate stated that "the bad thing about this book is that Hitler didn't finish."[2] J.K. reported these incidents to Jackson. Once again, Jackson promised to investigate and address these depravities. Upon information and belief, neither Jackson nor any other SPS administrator took any action in response to these reports.

33. In or around April 2024, M.K.L. was confronted with a large Swastika on a bathroom stall next to the words "Free Palestine." Other Swastikas paired with the same phrase

[2] *See* Report I-2873 (Mar. 28, 2024), https://www.stophateinschools.org/view-incidents/washington.

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started proliferating around the school. M.K.L. regularly reported the Swastikas to Jackson. Upon information and belief, the outcome was the same: Neither Jackson nor any other SPS administrator investigated or disciplined anyone for drawing the Swastikas that M.K.L. reported.

34. Later that month, M.K.L. discovered yet another Swastika drawn on a bench in the girls' softball team's dugout. As the only Jewish player on the girls' softball team, M.K.L. drew the only reasonable inference—that the Swastika was directed at her. M.K.L. immediately informed her coaches about the Swastika. But the assistant coach dismissed M.K.L.'s concerns, saying the graffiti didn't look like a Swastika. After finding M.K.L. in tears, the assistant coach belittled M.K.L.'s emotion as a reaction to not getting enough playing time. The head coach told M.K.L. not to tell Jackson directly about the Swastika to avoid disrupting the team. Instead, the coach promised he would personally report it to Jackson himself. Plaintiffs are unaware if the head coach ever made his report. What Plaintiffs know, however, is that Defendants never addressed the event with Plaintiffs or in any public communication.

35. The venom leached outside the walls of the school. Classmates also targeted M.K.L. online. At various times across the 2023-2024 school year, M.K.L. would share "stories" on various social media platforms about the war in Israel, including urging Hamas to free the Israeli hostages. Students responded by attacking M.K.L. via direct messages. Some of these messages came from an account identified as the official account of Nathan Hale's Muslim Student Association (MSA), a student group that Defendants officially recognized. M.K.L. told a teacher about the messages, who committed to notifying Jackson, the administration, and the MSA faculty advisor. But as the MSA account continued to directly

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message M.K.L., that same teacher said that she did not know what else she—or the school for that matter—could do. Upon information and belief, Nathan Hale's assistant principal knew about some or all of the messages from the MSA account and even knew who was responsible for them. Plaintiffs are unaware of any disciplinary action taken against the responsible student, or of any efforts to prevent an apparently school-sponsored account from being used to harass other students.

36. Deeply worried about her daughter's safety and mental well-being, J.K. continued to desperately reach out to Jackson to report the incessant harassment of her daughter. For example, when J.K. reported the recurring appearances of Swastikas across the school, Jackson assured her that there would be an investigation and schoolwide training on antisemitism. But SPS did neither. Nor did Jackson ever report these incidents to the Office of Student Civil Rights, or even inform J.K. of any process for elevating those concerns with the Office. Jackson adhered to his now-familiar practice of sweeping the harassment under the rug.

37. In April 2024, Jackson and two assistant principals met with several Jewish families, including M.K.L.'s. Multiple families shared their concerns about the pervasive antisemitism at Nathan Hale. None of this was news to Jackson.

D. M.K.L.'s School Year Ends Abruptly After a Teacher Had to Barricade M.K.L. in a Classroom to Protect Her From a Mob of Students.

38. On or around the morning of May 22, 2024, M.K.L. got into an argument with another student who had accused M.K.L. of being Islamophobic. Rumors about the argument circulated around the school. And by last period, a student mob targeted M.K.L. for retribution.

39. Noticing a group of students forming outside the classroom, M.K.L.'s teacher directed M.K.L. to remain inside after the class was dismissed. When the rest of the students exited the classroom, the teacher shut and locked the classroom door. The teacher then informed M.K.L. that she had overheard that other students were planning to attack M.K.L. after school. Almost immediately, a mob of approximately 20 students began pounding on the door, screaming for M.K.L. and calling her various slurs and names. They shouted that she should come out and "get what she deserved." Another student texted M.K.L. not to leave the classroom

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because it was unsafe. Students in the hallway were filming the event, as they waited for M.K.L. to come out and meet the mob.

40. M.K.L. was panicking and in fear for her safety. Around 2:30 p.m., she texted J.K.: "Mom. I rlly rlly rlly need you." Then, M.K.L. quickly phoned her father to ask for help. The teacher told R.L. on the phone that she had locked the door to protect M.K.L. from the students. J.K. and R.L. were both terrified for their daughter's safety.

41. Eventually, the teacher summoned school security. Meanwhile, the students continued to rattle the door and shout threats and slurs until a security guard finally arrived and escorted M.K.L. to the school's administrative office. J.K. arrived at the school to find M.K.L. in tears in the front office before driving her home.

42. SPS policy stated that "[i]f there is potential for clear and immediate physical harm to the targeted student, district staff will immediately contact law enforcement and inform the parent/guardian."[3] To Plaintiffs' knowledge, no SPS employee ever notified the police—or any law enforcement—of the incident. And upon information and belief, SPS still has not taken any disciplinary action against any student involved in the mob attack.

E. M.K.L. Is Forced to Withdraw From Nathan Hale as She and Her Parents Suffer From Severe Trauma and Grave Emotional Distress.

43. M.K.L. was terrified when she returned to school the day after the attack. School security escorted M.K.L. to her first class. But the assistant principal told J.K. that the school would not provide further resources to escort M.K.L. from class to class, and that, in all events, there would be no further security beyond that day. Incredibly, the assistant principal recommended that M.K.L. stop having lunch in public and stick close to teachers between periods for protection. The assistant principal also confirmed to J.K. that she had reviewed recorded footage of the mob incident, and that she had counted 18 to 20 students who were attempting to break into M.K.L.'s classroom.

[3] Seattle Public Schools Board, *Superintendent Procedure 3207SP: Prohibition of Harassment, Intimidation, or Bullying of Students*, at 7, (Apr. 3, 2024), https://www.seattleschools.org/wp-content/uploads/2021/07/3207SP.pdf.

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44. M.K.L., who had diagnosed learning difficulties, participated in an Individualized Education Plan ("IEP") at Nathan Hale. In an IEP meeting on June 3, 2024, school representatives agreed to freeze M.K.L.'s grades for the semester and ensured that M.K.L. would receive a pass/fail designation for her Spanish class. SPS failed to follow through on that promise, and the grade depressed M.K.L.'s cumulative GPA.

45. Jackson joined the IEP meeting by Zoom, even though he was in his office a few doors away. When one of the attendees asked Jackson what steps he had taken following the May 22 incident to address antisemitism at Nathan Hale, Jackson went off camera for the remainder of the meeting.

46. Defendants' deliberate indifference toward the hostile environment—and the trauma M.K.L. suffered—left J.K. and R.L. no choice but to withdraw their daughter from Nathan Hale. M.K.L. missed the rest of the 2023-2024 school year, which ended on June 21, 2024.

47. On or about June 10, 2024, R.L. formally requested to transfer his daughter to a different school. The SPS Transfer Appeals Board did not respond for at least another two months. It merely said that the request remained pending. The Board indicated it lacked information from Jackson and concrete evidence of the events prompting the transfer. Of course, as discussed above, Plaintiffs had previously reported those events to the school, and Jackson was personally aware of the situation.

48. M.K.L. has experienced, and continues to experience, severe injuries from the trauma she endured during her freshman year at Nathan Hale. For example, M.K.L. suffers from nightmares, flashbacks, sleep disturbances, and anxiety. She fears going into public places and walking alone in her own neighborhood. M.K.L. even avoids going to her father's home out of fear of running into one of her tormentors who lives nearby.

49. Given all this, J.K. and R.L. had to seek and pay for professional counseling for their daughter. In August 2024, M.K.L. was diagnosed with post-traumatic stress disorder, a condition for which she has been receiving special treatment.

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50. J.K. and R.L., too, have suffered injury. They had to witness their daughter's torment at the hands of her classmates, while Defendants refused to help. As parents, J.K. and R.L. had to endure the pain of seeing their daughter slip away, retreat, and become more isolated as the year progressed. They have suffered the emotional distress that comes from knowing that they entrusted their daughter to a school that left her so deeply scarred. That anguish and internalized guilt—the indescribably helpless feeling of being unable to protect one's own child—is almost unbearable.

51. But that is not all. J.K. and R.L. also have had numerous expenses and other damages associated with supporting M.K.L. endure and recover from these traumatic incidents, including out-of-pocket expenses for medical and mental health treatment, and costs associated with transporting and relocating M.K.L. to a different school district. J.K. and R.L. also have had lost wages and earning capacity related to time taken from work to address safety concerns, attend meetings with school officials, monitor M.K.L., and apply to transfer M.K.L. to a different school.

52. M.K.L. still resides in the SPS school district and lives next to Nathan Hale. In an ideal world, M.K.L. would want to be at her assigned school, where she could be present in her community and be in a safe environment. But of course, M.K.L. could return to SPS only if there were a substantial transformation of SPS and Nathan Hale—one from a place of rampant antisemitism and harassment to one where Jewish students can fully and safely enjoy the benefits of the school's educational programming.

F. Other Students Witnessed and Suffered from Antisemitism in SPS.

53. Antisemitism runs through the SPS system.

54. In or around the fall of 2022, a Jewish student at Salmon Bay Middle School saw a Swastika carved on the front of a locker, which prompted the principal to send an email to families of Salmon Bay students.

55. In or around February 2023, students at a Seattle school called a Jewish student a "kike" and bullied the student about being Jewish.[4]

[4] *See* Report I-2816 (Feb. 13, 2023), https://www.stophateinschools.org/view-incidents/washington.

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56. In or around August 2023, a construction company left lumber out at a Seattle school overnight. The next morning, the lumber had been arranged to form several Swastikas in the school parking lot.[5]

57. In or around February 2024, a student art project that incorporated Judaic symbols was damaged at a Seattle school.[6] In or around April 2024, that same project was damaged for a second and third time.[7]

58. In or around March 2024, Swastika graffiti was found in a student bathroom at a Seattle school and a second Swastika was found on a piece of paper on a school bus.[8]

59. In or around April 2024, during a "Climate Day of Action" at a Seattle school, teachers and speakers claimed that the war in Gaza was impacting climate change. One student was heard saying to another student, "I will spit on you again, you dirty Jew."[9]

60. In or around May 2024, a student found a Swastika on the wall of a stairway at a Seattle school. Although the student reported the incident to a teacher, who reported it to the school's administration, school administrators waited roughly a month to follow up with the parents of the student who found the Swastika.[10]

61. In or around June 2024, a Jewish student was teased and bullied for months at a Seattle school for being Jewish. Another student told that Jewish student, "this is an anti-Jewish zone."[11]

62. In or around October 8, 2024, at a Seattle elementary school, one student took a Jewish student's in-class worksheet, drew a Swastika on it, and handed it back to the student.[12]

63. In or around March 2025, at a Seattle school, the in-class writing partner of a Jewish student drew a Swastika and a picture of Hitler and showed the drawings to the Jewish student while laughing.[13]

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[5] *See* Report I-2827 (Aug. 3, 2023), https://www.stophateinschools.org/view-incidents/washington.
[6] *See* Report I-2865 (Feb. 5, 2024), https://www.stophateinschools.org/view-incidents/washington.
[7] *See* Report I-2876 (Apr. 15, 2024), https://www.stophateinschools.org/view-incidents/washington.
[8] *See* Report I-2869 (Mar. 5, 2024), https://www.stophateinschools.org/view-incidents/washington.
[9] *See* Report I-2884 (Apr. 25, 2024), https://www.stophateinschools.org/view-incidents/washington.
[10] *See* Report I-2927 (May 20, 2024), https://www.stophateinschools.org/view-incidents/washington.
[11] *See* Report I-2912 (June 20, 2024), https://www.stophateinschools.org/view-incidents/washington.
[12] *See* Report I-2923 (Oct. 8, 2024), https://www.stophateinschools.org/view-incidents/washington.
[13] *See* Report I-2975 (Mar. 4, 2025), https://www.stophateinschools.org/view-incidents/washington.

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64. In or around April 2025, a student at a Seattle school performed a Nazi salute in the presence of a Jewish student during the lunch line-up.[14]

65. In or around April 2025, at a Seattle school, a Swastika was drawn on the classroom paper of a Jewish student. The Jewish student reported the incident to a teacher.[15]

G. Defendants Failed to Adhere to SPS's Policies and Procedures.

66. SPS's Policies and Procedures ("Policies") prohibit "discrimination on the basis of … race [or] religion," recognizing that "students have a right to be free from discriminatory harassment" under state law.[16] SPS defines "[h]arassing conduct" as "includ[ing] verbal acts and name-calling, graphic and written statements, or other conduct that may be physically threatening, harmful, or humiliating."[17] The Policies also "prohibit[] harassment, intimidation, and bullying of students."[18] The Policies incorporate the definition of "harassment, intimidation, or bullying"—or "HIB"—from Washington Revised Code Chapter 28A.600, which defines ("HIB") as

> any intentional electronic, written, verbal, or physical act including, but … not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and RCW 28A.642.010, when the intentional act:
>
> - Physically harms a student or damages the student's property; or
> - Has the effect of substantially interfering with a student's education; or
> - Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
> - Has the effect of substantially disrupting the orderly operation of the school.[19]

67. Section 28A.642.010, in turn, prohibits "[d]iscrimination in Washington public schools on the basis of … race, ethnicity, creed, religion, [or] national origin."

68. The Policies further provide that HIB

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[14] *See* Report I-2979 (Apr. 1, 2025), https://www.stophateinschools.org/view-incidents/washington.
[15] *See* Report I-2978 (Apr. 30, 2025), https://www.stophateinschools.org/view-incidents/washington.
[16] Seattle Public Schools Board, *3210 Nondiscrimination* (Oct. 8, 2025), https://www.seattleschools.org/about/school-board/policies/3210-nondiscrimination-acts-of-hostility-and-defamation/.
[17] *Id.*
[18] Seattle Public Schools Board, *3207 Prohibition of Harassment, Intimidation, and Bullying of Students* (Sept. 3, 2024), https://www.seattleschools.org/about/school-board/policies/3207-prohibition-of-harassment-intimidation-or-bullying-students/.
[19] *Id.*

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> may take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images directed toward a student.[20]

69. Under SPS Policies and state law, a school's principal is the SPS employee responsible for receiving student reports of HIB and other safety concerns regarding his school, as well as responding to those reports directly by, for example, disciplining students for harassment.

70. SPS Policies provide that "[t]he primary responsibility for maintaining proper order and conduct in the schools resides with school principals or their designees, with the support of other school staff. Principals or their designees maintain order and handle all student discipline matters consistent with the Basic Rules of Seattle Public Schools."[21] State law similarly provides that school principals shall "[a]ssume administrative authority and responsibility for the supervision, counseling and discipline of pupils in the attendance area for which he or she is responsible." Wash. Rev. Code Ann. § 28A.400.100(4); *see also* Wash. Rev. Code Ann. § 28A.400.110 ("Within each school the school principal shall determine that appropriate student discipline is established and enforced.").

71. SPS advises that "[c]oncerns about [HIB] should first be reported to a school administrator (Principal or Assistant Principal). Reports can be made verbally or in writing."[22] The Policies also allow students to report HIB "verbally" to "any staff member."[23] "Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying of a student, or to whom such actions have been reported, must take prompt and appropriate action to stop the harassment, intimidation, or bullying; prevent its reoccurrence; and report it to the

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[20] Seattle Public Schools Board, *3207 Prohibition of Harassment, Intimidation, and Bullying of* Students, https://www.seattleschools.org/about/school-board/policies/3207-prohibition-of-harassment-intimidation-or-bullying-students/.

[21] Seattle Public Schools Board, *4311 School Safety and Security Services Program* (May 27, 2025), https://www.seattleschools.org/about/school-board/policies/4311-school-safety-and-security-services-program/.

[22] Seattle Public Schools, *Harassment, Intimidation, and Bullying (HIB)*, https://www.seattleschools.org/departments/student-civil-rights/hib/#g84859717f415; *see also id.* (emphasizing that parents and students should "[r]eport concerns of harassment, intimidation, or bullying to your school's building leader (principal, assistant principal, house administrator").

[23] Seattle Public Schools Board, *Superintendent Procedure 3207SP*, at 5 (Apr. 3, 2024), https://www.seattleschools.org/wp-content/uploads/2021/07/3207SP.pdf; *see also id.* at 6 ("All staff are responsible for receiving oral and written reports.").

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[principal] and/or the district HIB Compliance Officer."[24] Although students may report "unresolved, severe, or persistent" HIB verbally to any staff member,[25] when staff members "report" that "unresolved, severe, or persistent" HIB to the principal and HIB Compliance officer,[26] those reports must "be recorded on a district HIB Incident Reporting Form. Staff … shall submit such forms to the principal ... and to the Office of Student Civil Rights. Once recorded, the principal … must communicate with the district HIB Compliance Officer regarding the complaints."[27]

72. If the staff member, including the principal, is not able to immediately resolve the reporting student's concerns, or if the report includes allegations of "unresolved, severe, or persistent" HIB, then the staff member, such as the principal, "will notify the HIB Compliance Officer, the parties will be provided with a HIB Incident Reporting form, and given the opportunity to complete the form, thereby initiating the process for an official HIB investigation."[28]

73. Principals conduct investigations "and take reasonable steps, including safety planning, to prevent additional incidents between involved students."[29] Principals "have 5 days to complete the investigation," which includes interviews with the students involved, as well as witnesses, and "[a] review of previous complaints."[30] "If there is potential for clear and immediate physical harm to the targeted student, district staff will immediately contact law enforcement and inform the parent/guardian."[31]

74. "If, during the course of an investigation," the principal "becomes aware of a potential violation of the district's nondiscrimination policy," the principal must "promptly notify the Director of Investigations & Compliance or designee. Upon receipt of this information, the Director of Investigations & Compliance or designee must notify the

[24] *Id.* at 1 (emphasis added).
[25] *Id.* at 5.
[26] *Id.* at 1.
[27] *Id.* at 6.
[28] *Id.* at 6-7.
[29] Seattle Public Schools, *Harassment, Intimidation, and Bullying (HIB)*, https://www.seattleschools.org/departments/student-civil-rights/hib/#g84859717f415.
[30] *Id.*
[31] Seattle Public Schools Board, *Superintendent Procedure 3207SP*, at 7, https://www.seattleschools.org/wp-content/uploads/2021/07/3207SP.pdf.

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complainant that their complaint will proceed under the discrimination complaint procedure as detailed in Superintendent Procedure 3210SP.B., as well."[32] "The investigation and response timeline for the discrimination complaint procedure set forth in Superintendent Procedure 3210SP.B will apply and begins when the district knows or should have known that a written report of harassment, intimidation, or bullying involves allegations of a possible violation of the district's nondiscrimination policy."[33]

75. At the conclusion of the investigation, the principal will submit the results of the investigation to the HIB Compliance officer and provide the students involved with the outcome of the investigation.[34] "Students found to have been subjected to harassment, intimidation, or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student will be addressed and remedied as appropriate."[35] "Corrective measures" concerning the aggressors will be made within five days of the communication of the results of the investigation, and may include discipline and referral to law enforcement.[36] "If the conduct was of a public nature or involved groups of students or bystanders, the district will strongly consider school-wide training or other activities to address the incident. If staff have been found to be in violation of this policy and procedure by not reporting harassment, intimidation, or bullying or not preventing retaliation, the district may impose employment disciplinary action, up to and including termination."[37]

76. "If the incident cannot be resolved at the school level, the principal or designee will request assistance from the district's HIB Compliance Officer."[38]

77. When a student with an IEP is found to be subject to HIB, the Superintendent Procedure provides that "the school will convene the student's IEP … team to determine whether the incident had an impact on the student's ability to receive a free appropriate public education (FAPE)," regardless of whether the bullying was based on disability. If a determination is made

[32] *Id.*
[33] *Id.*
[34] *Id.* at 8.
[35] *Id.* at 10.
[36] *Id.* at 9.
[37] *Id.* at 10.
[38] *Id.* at 8.

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that the HIB has prevented the student from receiving FAPE, "the district will provide additional services and supports as deemed necessary, such as counseling, monitoring, and/or reevaluation or revision of the student's IEP" plan.[39]

78. Despite M.K.L.'s and J.K.'s repeated verbal reports of unresolved, severe, or persistent HIB, Defendants never provided M.K.L. and J.K. with an HIB Incident Reporting form and never informed M.K.L. and J.K. that they had the ability to contact the HIB Compliance Officer directly. Further, the HIB Compliance Officer and the Director of Investigations & Compliance never contacted M.K.L. or J.K. regarding their reports of antisemitic harassment against M.K.L. Defendants also never informed M.K.L. or J.K. of any investigation into their reports, any safety plan put in place or considered, any corrective measures involving any of the aggressors involved, any schoolwide student training on antisemitism, or any discussions with any staff members regarding reporting and responding to any of the reported incidents. On information and belief, no SPS employee took any meaningful action in response to any of M.K.L.'s and J.K.'s reports. Indeed, even after the May 2024 incident, Defendants informed M.K.L. that they could not provide her with a security guard escort to her classes to ensure her safety.

79. Given that M.K.L. had an IEP, SPS was further obligated to convene her IEP team to determine whether the harassment had an impact on her ability to receive an education and, if it did, provide her with support such as counseling, monitoring, and/or reevaluation or revision of her IEP requirements. That did not occur until after the May 2024 incident. As a result of this meeting, M.K.L. was informed that she would be able to take pass/fail grades for at least some of her affected classes. But SPS has failed to keep that promise.

80. Defendants' failures to adhere to SPS's Policies, or to take any reasonable action, in response to M.K.L.'s and J.K.'s many reports, stand in stark contrast to Defendants' handling of incidents not involving antisemitism or Jewish complainants. For example, in and around September 2023, a Muslim student reported to school administrators that another Nathan Hale student made a joke that offended Muslim students. Defendants acted swiftly in response to that

[39] *Id.* at 10.

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complaint, preparing and presenting tutorials and trainings for students. Hoping to stop any spread of Islamophobia, Jackson discussed the incident in a student assembly and in an email to the school community, and then asked teachers to address it during the daily homeroom period. Nathan Hale also suspended at least one student involved in the incident. These swift efforts to nip Islamophobia in the bud are a far cry from Defendants' approach to M.K.L.'s circumstances. Defendants' deliberate indifference toward Plaintiffs' reports of harassment was because of their Jewish identity.

81. On or about April 3, 2025, Plaintiffs mailed SPS their tort claim concerning the subject matter of this action, in compliance with Wash. Rev. Code Ann. § 4.96.020.

COUNT I
Title VI, Civil Rights Act of 1964, § 601, 42 U.S.C. § 2000d
(M.K.L. against Defendants SPS and Nathan Hale)

82. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

83. Section 601 of Title VI, Civil Rights Act of 1964, codified at 42 U.S.C. § 2000d, prohibits the denial of benefits and discrimination "on the ground of race, color, or national origin" under a program receiving federal financial assistance.

84. SPS and Nathan Hale receive financial assistance from the U.S. Department of Education.

85. Title VI prohibits the denial of benefits and discrimination on the ground of being Jewish—including based on actual or perceived ancestry, race, ethnic characteristics, and national origin.

86. Plaintiff M.K.L. is and identifies as Jewish.

87. The acts and omissions of SPS, Nathan Hale, and their employees subjected M.K.L. to discrimination and harassment on the ground of her being Jewish.

88. M.K.L. suffered discrimination and harassment that was sufficiently severe, pervasive, and objectively offensive that it created a hostile environment that deprived M.K.L. of equal access to the educational benefits and opportunities that SPS and Nathan Hale provide to non-Jewish students.

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a. Repeatedly, persistently, and unceasingly over the course of an entire school year, M.K.L. was the target of racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, intimidation and bullying (both in person and online), and assault by a mob of students that forced her to seek refuge in a locked classroom.

b. The environment was so hostile that M.K.L. reasonably feared for her safety and suffered from such severe distress that she was unable to perform well in school, complete her coursework, or fully take advantage of educational and extracurricular opportunities available to other students at Nathan Hale. Although M.K.L. ultimately had no real choice but to transfer to a different school district to receive the education and opportunities to which she is entitled. M.K.L. would return to SPS if Defendants were compelled, on pain of judicial sanctions, to guarantee a safe environment.

89. SPS, Nathan Hale, and their employees had actual notice of the discrimination and harassment, over which they had substantial control and the authority to remediate. That discrimination and harassment was, and continues to be, so severe, pervasive, and objectively offensive that it created, and continues to create, a hostile environment for Jewish students.

a. Throughout the 2023-2024 school year, Plaintiffs reported antisemitic incidents to Principal Jackson, the assistant principal, teachers, coaches, and other SPS and Nathan Hale employees.

b. By repeatedly reporting the discriminatory harassment to Jackson, Plaintiffs provided SPS and Nathan Hale with actual notice of the hostile environment at Nathan Hale.

90. Despite having actual notice, SPS and Nathan Hale were deliberately indifferent to the antisemitic abuse, harassment, and intimidation of M.K.L. Indeed, SPS, and Nathan Hale employees clearly and unreasonably failed, and continue to fail, to cure or otherwise adequately, appropriately, and meaningfully address, ameliorate, or remedy the discriminatory hostile environment that M.K.L. endured for being Jewish. Additionally, SPS and Nathan Hale have failed to take prompt and effective steps to end the harassment or prevent it from recurring.

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a. SPS and Nathan Hale failed to follow SPS Policies for investigating and responding to reports of discriminatory harassment, HIB, and unresolved, severe, or persistent HIB.

b. SPS and Nathan Hale failed to investigate Plaintiffs' reports by interviewing students or reviewing relevant security footage. SPS and Nathan Hale failed to provide M.K.L. with adequate safety measures, and failed to notify law enforcement.

c. SPS and Nathan Hale failed to adequately train SPS staff on how to respond to reports of discriminatory and harassment and HIB.

d. SPS and Nathan Hale failed to discipline any of the accused aggressors, including any of the students involved in the mob attack in May 2024.

e. This unlawful deliberate indifference subjected M.K.L. to a hostile educational environment.

91. SPS, Nathan Hale, and their employees continue to unreasonably fail to act—or continue to act inadequately and discriminatorily, and with leniency, tolerance, deliberate indifference, and unjustifiable delay—in applying their policies to known or reported incidents involving antisemitism or where the victim or complainant was a Jewish student, including M.K.L. SPS and Nathan Hale's actions and inactions were, and continue to be, intended to treat M.K.L. and Jewish students differently as compared to incidents involving other similarly situated non-Jewish students.

92. SPS, Nathan Hale, and their employees actively and intentionally engage in this pattern of severe and pervasive discrimination.

93. SPS's and Nathan Hale's acts and omissions were the actual, direct, and proximate cause of M.K.L.'s injuries.

94. As a result of the foregoing, M.K.L. has suffered, and continues to suffer, substantial damages in an amount to be determined at trial.

95. M.K.L. has been, and will continue to be, injured because SPS and Nathan Hale have and will continue to deny her equal access to the education benefits and opportunities

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provided to other non-Jewish students, and have and will continue to intentionally discriminate against her for being Jewish.

96. M.K.L. is entitled to appropriate injunctive relief; there is no adequate remedy at law to prevent SPS and Nathan Hale from continuing to discriminate against their students for being Jewish; and the harm that M.K.L. will otherwise continue to suffer by not being able to return to her school district is irreparable.

97. M.K.L. is entitled to declaratory judgment that SPS and Nathan Hale violated Title VI.

98. M.K.L. is entitled to attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

COUNT II
42 U.S.C. § 1983, Equal Protection
(All Plaintiffs against Defendant Jackson)

99. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

100. Jackson is a public official and a state actor who acted at all relevant times under color of state law and within the course and scope of his position, employment, and duties as the Principal of Nathan Hale, which is operated by SPS.

101. The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution protects against intentional discrimination and harassment by state officials against members of an identifiable class.

102. Plaintiffs are and identify as Jewish.

103. M.K.L. suffered discrimination and harassment based on her Jewish identity that was severe, pervasive, and objectively offensive, and that created a hostile environment. Repeatedly, persistently, and unceasingly over the course of an entire school year, M.K.L. was the target of racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, intimidation and bullying (both in person and online), and assault by a mob of students that forced her to seek refuge in a locked classroom.

104. Jackson failed to enforce SPS's disciplinary, anti-harassment, and anti-discrimination policies to prevent antisemitic discrimination and harassment or remedy its effects. Jackson's actions and inactions were intended to treat Plaintiffs' reports of antisemitic

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discrimination, bullying, and harassment differently as compared to incidents involving other similarly situated non-Jewish students.

105. Jackson intentionally discriminated against Plaintiffs based on their Jewish identity as evidenced by his deliberate indifference to the antisemitic abuse, harassment, and intimidation at Nathan Hale. Although Plaintiffs notified Jackson on numerous occasions of the antisemitic incidents against M.K.L., Jackson clearly and unreasonably failed to investigate, cure, or otherwise adequately, appropriately, and meaningfully address the discrimination and hostile environment at Nathan Hale. Jackson failed to discipline any student who engaged in harassment, intimidation, and bullying of M.K.L.

106. Jackson's acts and omissions were the actual, direct, and proximate cause of Plaintiffs' injuries.

107. As a result of the foregoing, Plaintiffs have suffered, and continue to suffer, substantial damages in an amount to be determined at trial.

108. Plaintiffs are entitled to punitive damages because Jackson's conduct involved a reckless and callous indifference to the constitutional rights of others.

109. Plaintiffs are entitled to appropriate injunctive relief.

110. Plaintiffs are entitled to declaratory judgment that Jackson violated their equal protection rights.

111. Plaintiffs are entitled to attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

COUNT III
42 U.S.C. § 1983, Equal Protection
(All Plaintiffs against Defendants SPS and Nathan Hale)

112. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

113. SPS and Nathan Hale are municipal entities that qualify as "person[s]" under 42 U.S.C. § 1983.

114. SPS and Nathan Hale intentionally discriminated against Plaintiffs and continue to intentionally discriminate against the families of other Jewish students, on the basis of their Jewish identity, in violation of the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.

115. Plaintiffs are and identify as Jewish.

116. SPS and Nathan Hale deliberately engage in a custom and practice of refusing to investigate or otherwise respond to reports of antisemitism within their jurisdiction, as evidenced by their repeated failures to do so. Among other things, SPS and Nathan Hale also have failed to (1) train their employees to investigate or otherwise respond to these reported incidents of antisemitism, and (2) investigate and discipline employees for failing to adequately respond.

117. SPS and Nathan Hale failed to protect M.K.L. from the antisemitic environment that pervades SPS and failed to adequately train their students and employees regarding antisemitism and peer-to-peer harassment. Given the rise in antisemitism in SPS schools in 2023, and the many reports from Plaintiffs and other Jewish students in the school system, SPS's and Nathan Hale's failure to offer adequate training amounted to deliberate indifference to the patently obvious risks to the rights and safety of Jewish students.

118. SPS and Nathan Hale have failed to investigate or discipline any of their employees, including Jackson, for failing to respond adequately to reports of antisemitic harassment. SPS and Nathan Hale have failed to investigate or discipline students responsible for antisemitic harassment, bullying, and intimidation, including students responsible for harassing M.K.L.

119. As a result of SPS's and Nathan Hale's pervasive failure to train, investigate, and discipline its employees and students regarding antisemitism and peer-to-peer harassment, Plaintiffs' and other Jewish families' rights were violated.

120. Jackson, who directly violated Plaintiffs' equal protection rights, was the final policymaker in the failure of SPS and Nathan Hale to respond to antisemitic harassment and to ensure the safety of M.K.L. and other Jewish students.

121. SPS and Nathan Hale also ratified Jackson's actions, and acted with deliberate indifference to Jackson's unconstitutional conduct, by failing to investigate or punish Jackson, and failing to take any steps to ensure that unconstitutional conduct by Jackson or other employees would not recur.

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122. SPS's and Nathan Hale's acts and omissions were the actual, direct, and proximate cause of Plaintiffs' injuries.

123. As a result of the foregoing, Plaintiffs have suffered, and continue to suffer, substantial damages in an amount to be determined at trial.

124. Plaintiffs are entitled to punitive damages because the conduct of SPS and Nathan Hale involved a reckless and callous indifference to the constitutional rights of others.

125. Plaintiffs and other Jewish families in the SPS system, including at Nathan Hale, have been and will continue to be injured because SPS and Nathan Hale have and will continue to intentionally discriminate and be deliberately indifferent to discrimination and harassment against them on the basis of their Jewish identity.

126. Plaintiffs are entitled to appropriate injunctive relief under 42 U.S.C. § 1983; there is no adequate remedy at law to prevent SPS or Nathan Hale from continuing to discriminate against its students and their families on the basis of their Jewish identity; and the harm that Plaintiffs will otherwise continue to suffer by not being able to return M.K.L. to her school district is irreparable.

127. Plaintiffs are entitled to declaratory judgment that SPS and Nathan Hale violated Plaintiffs' equal protection rights.

128. Plaintiffs are entitled to attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

COUNT IV
Wash. Const. Art. I, § 12, Privileges and Immunities Clause
(All Plaintiffs against Defendants SPS and Nathan Hale)

129. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

130. The Privileges and Immunities Clause of the Washington Constitution protects against intentional discrimination and harassment by state actors against members of an identifiable class.

131. Plaintiffs are and identify as Jewish.

132. SPS and Nathan Hale, intentionally discriminated against Plaintiffs, and continue to intentionally discriminate against the families of other Jewish students, on the basis of their Jewish identity.

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133. M.K.L. suffered discrimination and harassment based on her Jewish identity that was severe, pervasive, and objectively offensive, and that created a hostile environment. Repeatedly, persistently, and unceasingly over the course of an entire school year, M.K.L. was the target of racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, intimidation and bullying (both in person and online), and assault by a mob of students that forced her to seek refuge in a locked classroom.

134. SPS, Nathan Hale, and their employees failed to enforce SPS's disciplinary, anti-harassment, and anti-discrimination policies to prevent antisemitic discrimination, bullying, and harassment. Their actions and inactions were intended to treat Plaintiffs' reports of antisemitic discrimination, bullying, and harassment differently as compared to incidents involving other similarly situated non-Jewish students.

135. SPS, Nathan Hale, and their employees intentionally discriminated against Plaintiffs based on their Jewish identity as evidenced by their deliberate indifference to the antisemitic abuse, harassment, bullying, and intimidation at Nathan Hale. Although Plaintiffs repeatedly notified SPS and Nathan Hale administrators of the antisemitic incidents against M.K.L., SPS, Nathan Hale, and their employees clearly and unreasonably failed to investigate, cure, or otherwise adequately, appropriately, and meaningfully address the discriminatory and hostile environment at Nathan Hale. SPS, Nathan Hale, and their employees failed to discipline any student who engaged in harassment, intimidation, and bullying of M.K.L.

136. The acts and omissions of SPS, Nathan Hale, and their employees were the actual, direct, and proximate cause of Plaintiffs' injuries.

137. Plaintiffs and other Jewish families in the SPS system, including at Nathan Hale, have been and will continue to be injured because SPS and Nathan Hale have and will continue to intentionally discriminate and be deliberately indifferent to discrimination and harassment against them on the basis of their Jewish identity.

138. Plaintiffs are entitled to appropriate injunctive relief; there is no adequate remedy at law to prevent SPS or Nathan Hale from continuing to discriminate against its students and

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their families on the basis of their Jewish identity; and the harm that Plaintiffs will otherwise continue to suffer by not being able to return M.K.L. to her school district is irreparable.

139. Plaintiffs are entitled to declaratory judgment that SPS and Nathan Hale violated Plaintiffs' equal protection rights.

COUNT V
Violation of Wash. Const. Art. IX, § 1
(All Plaintiffs against Defendants SPS and Nathan Hale)

140. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

141. Article IX, section 1 of the Washington Constitution imposes a judicially enforceable "paramount duty" upon state actors to "make ample provision for the education of all children residing its borders, without distinction or preference on account of race, color, caste or sex."

142. Plaintiffs are and identify as Jewish.

143. SPS, Nathan Hale, and their employees intentionally discriminated against Plaintiffs, and continue to intentionally discriminate against the families of other Jewish students for being Jewish.

144. M.K.L. suffered discrimination and harassment that was severe, pervasive, and objectively offensive, and that created a hostile environment. Repeatedly, persistently, and unceasingly over the course of an entire school year, M.K.L. was the target of racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, intimidation and bullying (both in person and online), and assault by a mob of students that forced her to seek refuge in a locked classroom.

145. The discrimination and harassment that M.L.K. suffered created a hostile environment that deprived M.K.L. of equal access to the educational benefits and opportunities that SPS and Nathan Hale provide to non-Jewish students. The environment was so hostile that M.K.L. reasonably feared for her safety and suffered from such severe distress that she was unable to perform well in school, complete her coursework, or fully take advantage of educational and extracurricular opportunities available to other students at Nathan Hale. Although M.K.L. ultimately had no real choice but to transfer to a different school district to be

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able to receive the education and opportunities to which she is entitled, M.K.L. would return to SPS if Defendants were compelled, on pain of judicial sanctions, to guarantee a safe environment.

146. SPS, Nathan Hale, and their employees failed to enforce SPS's disciplinary, anti-harassment, and anti-discrimination policies to prevent antisemitic discrimination, bullying, and harassment. Their actions and inactions were intended to treat Plaintiffs' reports of antisemitic discrimination and harassment differently as compared to incidents involving other similarly situated non-Jewish students.

147. SPS, Nathan Hale, and their employees intentionally discriminated against Plaintiffs based on their Jewish identity as evidenced by their deliberate indifference to the antisemitic abuse, harassment, bullying, and intimidation at Nathan Hale. Although Plaintiffs notified SPS and Nathan Hale administrators on numerous occasions of the antisemitic incidents against M.K.L., SPS, Nathan Hale, and their employees clearly and unreasonably failed to investigate, cure, or otherwise adequately, appropriately, and meaningfully address the discrimination and hostile environment at Nathan Hale. SPS, Nathan Hale, and their employees failed to discipline any student that engaged in harassment, intimidation, and bullying of M.K.L.

148. The acts and omissions of SPS, Nathan Hale, and their employees were the actual, direct, and proximate cause of Plaintiffs' injuries.

149. Plaintiffs and other Jewish families in the SPS system, including at Nathan Hale, have been and will continue to be injured because SPS and Nathan Hale have and will continue to intentionally discriminate and be deliberately indifferent to discrimination and harassment against them on the basis of their Jewish identity.

150. Plaintiffs are entitled to appropriate injunctive relief; there is no adequate remedy at law to prevent SPS or Nathan Hale from continuing to discriminate against its students and their families on the basis of their Jewish identity; and the harm that Plaintiffs will otherwise continue to suffer by not being able to return M.K.L. to her school district is irreparable.

151. Plaintiffs are entitled to declaratory judgment that Defendants SPS and Nathan Hale violated Plaintiffs' rights under article IX, section 1 of the Washington Constitution.

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COUNT VI
Washington Equal Education Opportunity Law, Wash. Rev. Code. Ann. Ch. 28A.642
(All Plaintiffs against Defendants SPS and Nathan Hale)

152. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

153. Washington's Equal Education Opportunity Law, codified at Wash. Rev. Code Ann. Ch. 28A.642.010, prohibits "[d]iscrimination in Washington public schools on the basis of race, ethnicity, creed, religion [and] national origin."

154. SPS is a public-school system in Washington, and Nathan Hale is a public school in Washington.

155. Plaintiffs are and identify as Jewish.

156. The acts and omissions of SPS, Nathan Hale, and their employees subjected Plaintiffs to discrimination on the ground of their actual and/or perceived Jewish race, ethnicity, creed, religion, and national origin.

157. Plaintiffs and Jewish students enrolled in SPS and Nathan Hale suffered discrimination and harassment that was sufficiently severe, persistent, and pervasive that it created a hostile environment that deprived them of equal access to the course offerings and educational programs and activities that SPS and Nathan Hale provide to non-Jewish students.

a. Repeatedly, persistently, and unceasingly over the course of an entire school year, M.K.L. was the target of racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, intimidation and bullying (both in person and online), and assault by a mob of students that forced her to seek refuge in a locked classroom.

b. The environment was so hostile that Plaintiffs reasonably feared for M.K.L.'s safety, and M.K.L. suffered from such severe distress that her GPA suffered, and she was unable to complete her coursework or fully take advantage of other educational programs and activities available to other students at Nathan Hale. Although Plaintiffs ultimately had no real choice but to transfer M.K.L. to a different school district to be able to receive the education and opportunities to which she is entitled, M.K.L. would return to SPS if Defendants were compelled, on pain of judicial sanctions, to guarantee a safe environment.

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158. SPS, Nathan Hale, and their employees had actual notice of the discrimination and harassment, over which they had substantial control and the authority to remediate. That discrimination and harassment was, and continues to be, so severe, pervasive, and objectively offensive that it created, and continues to create, a hostile environment for Jewish students.

a. Throughout the 2023-2024 school year, Plaintiffs reported antisemitic incidents to Principal Jackson, the assistant principal, teachers, coaches, and other employees of SPS and Nathan Hale.

b. By repeatedly reporting the discriminatory harassment to Jackson, the proper recipient of the reports per SPS Policies, Plaintiffs provided SPS and Nathan Hale with notice of the hostile environment at Nathan Hale.

159. Despite having notice, SPS, Nathan Hale, and their employees failed to take prompt and appropriate action to investigate the antisemitic abuse, harassment, bullying, and intimidation of M.K.L. SPS, Nathan Hale, and their employees clearly and unreasonably failed, and continue to fail, to cure or otherwise adequately, appropriately, and meaningfully address, ameliorate, or remedy the discriminatory and hostile environment that M.K.L. was forced to endure at SPS and Nathan Hale on the ground of her Jewish race, ethnicity, creed, religion, and national origin. Additionally, SPS and Nathan Hale have failed to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, or remedy its effects.

a. SPS and Nathan Hale failed to follow SPS Policies for investigating and responding to reports of discriminatory harassment, HIB, and unresolved, severe, or persistent HIB.

b. SPS and Nathan Hale failed to investigate Plaintiffs' reports by interviewing students or reviewing relevant security footage. SPS and Nathan Hale failed to provide M.K.L. with any adequate safety measures and failed to notify law enforcement.

c. SPS and Nathan Hale failed to adequately train SPS staff on how to respond to reports of discriminatory and harassment and HIB.

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d. SPS and Nathan Hale failed to punish any of the accused aggressors, including any of the students involved in the mob attack in May 2024. To this day, Defendants have failed to take any remedial action whatsoever.

e. This unlawful failure to take prompt and effective steps reasonably calculated to end the harassment, prevent it from recurring, and remedy its effects caused M.K.L. to be subjected to a hostile educational environment.

160. SPS, Nathan Hale, and their employees continue to unreasonably fail to act—or continue to act inadequately and discriminatorily, and with leniency, tolerance, deliberate indifference, and unjustifiable delay—in applying their policies to known or reported incidents involving antisemitism or where the victim or complainant was a Jewish student or parent. SPS's and Nathan Hale's actions and inactions were, and continue to be, intended to treat Jewish students and their families differently as compared to incidents involving other similarly situated non-Jewish students and families.

161. SPS, Nathan Hale, and their employees actively and intentionally engage in this pattern of severe and/or pervasive discrimination.

162. SPS's and Nathan Hale's acts and omissions were the actual, direct, and proximate cause of Plaintiffs' injuries.

163. As a result of the foregoing, Plaintiffs have suffered, and continue to suffer, substantial damages in an amount to be determined at trial.

164. Plaintiffs and Jewish students and families enrolled in SPS and Nathan Hale have been, and will continue to be, injured because SPS and Nathan Hale have and will continue to deny them equal access to the course offerings, educational programs, and educational activities that they provide to non-Jewish students and families, and have and will continue to intentionally discriminate against them for being Jewish.

165. Plaintiffs are entitled to appropriate injunctive relief; there is no adequate remedy at law to prevent SPS and Nathan Hale from continuing to discriminate against its students for being Jewish; and the harm that Plaintiffs will otherwise continue to suffer by not being able to return M.K.L. to her school district is irreparable.

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COUNT VII
Washington Law Against Discrimination ("WLAD"), Wash. Rev. Code Ann. Ch. 49.60
(All Plaintiffs against All Defendants)

166. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

167. The WLAD prohibits "discrimination because of race, creed, [and] national origin" in places of public accommodation. Wash. Rev. Code Ann. § 49.60.030.

168. Nathan Hale High School and other SPS schools are places of public accommodation.

169. Defendants are "Person[s]" under WLAD.

170. SPS and Nathan Hale may be held directly liable for the acts and omissions of their employees, including Jackson.

171. Plaintiffs are and identify as Jewish.

172. The acts and omissions of SPS, Nathan Hale, and their employees, including Jackson, have subjected Plaintiffs to discrimination and harassment for being Jewish.

173. Plaintiffs suffered discrimination, bullying, and harassment for being Jewish. That harassment is sufficiently severe, persistent, and pervasive that it created, and continues to create, a hostile environment that deprived Plaintiffs of full enjoyment of the facilities and privileges of public school, including equal access to educational benefits and opportunities, and that caused them to be treated as not welcome, accepted, or desired.

174. SPS and Nathan Hale, and their employees, including Jackson, knew, or in the exercise of reasonable care should have known, about the antisemitic discrimination, bullying, harassment, and hostile education environment in Nathan Hale and other SPS schools.

175. Despite having notice, SPS, Nathan Hale, and their employees, including Jackson, failed to take prompt and appropriate action to investigate the discrimination and hostile environment that M.K.L. was forced to endure at SPS and Nathan Hale for being Jewish. Additionally, SPS, Nathan Hale, and their employees, including Jackson, have failed to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, or remedy its effects.

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176. SPS, Nathan Hale, and their employees, including Jackson, continue to unreasonably fail to act—or continue to act inadequately and discriminatorily, and with leniency, tolerance, deliberate indifference, and/or unjustifiable delay—in applying their policies to known or reported incidents involving antisemitism or where the victim or complainant was a Jewish student or parent. Defendants' actions and inactions were, and continue to be, intended to treat Jewish students and their families differently as compared to incidents involving other similarly situated non-Jewish students and families.

177. Defendants actively and intentionally engage in this pattern of severe and pervasive discrimination.

178. Defendants' acts and omissions were the actual, direct, and proximate cause of Plaintiffs' injuries.

179. As a result of the foregoing, Plaintiffs have suffered, and continue to suffer, substantial damages in an amount to be determined at trial.

180. Plaintiffs and Jewish students and families enrolled in SPS and Nathan Hale have been, and will continue to be injured, because Defendants have and will continue to deny them equal access to the course offerings, educational programs, and educational activities that they provide to other non-Jewish students and to discriminatorily fail to enforce their policies to incidents of antisemitism.

181. Plaintiffs request injunctive relief against further violations of WLAD by Defendants under Wash. Rev. Code Ann. § 49.60.030(2).

182. Plaintiffs are entitled to attorney's fees and costs under Wash. Rev. Code Ann. § 49.60.030(2).

183. Plaintiffs request any other appropriate remedy authorized by WLAD or the United States Civil Rights Act of 1964.

COUNT VIII
Negligence
(All Plaintiffs against All Defendants)

184. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

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185. SPS and Nathan Hale may be held vicariously liable for the acts and omissions of their employees, including Jackson.

186. Defendants SPS, Nathan Hale, and Jackson each owed duties to Plaintiffs, including but not limited to: (1) the duty to protect students in their custody from foreseeable harm; (2) the duty to anticipate harm which may reasonably be anticipated and take necessary precautions to protect students in their custody from such harm; (3) the duty to respond appropriately once they become aware that students in their custody are engaging in harassment, intimidation, and bullying of other students; (4) the duty to promptly notify parents of material incidents and investigative measures and implement reasonable protective measures when parents request help; and (5) the duty to ensure their staff and employees are properly trained to perform all their duties.

187. The duties arose from the special nature of the relationship between a school district, a school, or its administrators and students whom parents entrust to their custody and control.

188. The duties arose also from affirmative obligations that Defendants owe under Washington law to adopt policies and procedures to prohibit harassment, intimidation, and bullying of students and, under such policies and procedures, to take prompt and appropriate action to stop the harassment, intimidation, or bullying and prevent its recurrence, to investigate unresolved incidents, to institute any corrective measures necessary, to promptly notify parents of incidents and the measures taken to resolve them, and to properly train employees on how to respond to harassment, intimidation, or bullying.

189. Defendants breached their duty to exercise reasonable care to prevent the reasonably foreseeable danger to Plaintiffs.

190. The danger to Plaintiffs was not only reasonably, but evidently foreseeable to Defendants given that Plaintiffs repeatedly reported the pervasive harassment and threats that M.K.L. received to SPS and Nathan Hale through Jackson and other employees.

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191. Defendants knew or had reason to know that the pervasive antisemitic harassment, intimidation, and bullying suffered by M.K.L. could present a danger to her safety and well-being and the well-being of J.K. and R.L.

192. Defendants failed to: (1) exercise reasonable care to protect M.K.L.; (2) take prompt and appropriate action to stop the harassment; (3) investigate the reports with reasonable promptness; (4) take reasonable measures to prevent further harassment from occurring, including reasonable safety and disciplinary measures against aggressors; (5) communicate promptly and accurately with M.K.L.'s parents about material incidents, investigation, and protective measures; (6) adequately train their employees in how to respond to harassment, intimidation, and bullying, especially against M.K.L. and other Jewish students; and (7) educate other students about antisemitism and the odiousness of harassment, intimidation, and bullying for being Jewish.

193. Because Defendants negligently failed to protect M.K.L., Plaintiffs were forced to transfer M.K.L. to a different school district.

194. But for Defendants' failure to intervene despite the reasonably foreseeable harm, M.K.L. would not have suffered from post-traumatic stress disorder and been forced to seek professional counseling in connection with the events she experienced at SPS and Nathan Hale. Nor would she be saddled with the consequences of severe trauma, including flashbacks, nightmares and sleep disturbances, severe anxiety, and fear of going out in public.

195. As a direct and proximate result of Defendants' negligence, J.K. and R.L. have suffered severe emotional distress; incurred out-of-pocket expenses for M.K.L.'s medical and mental health treatment; lost wages and earning capacity related to time taken from work to address safety concerns, attend meetings with school officials, monitor M.K.L., and apply to transfer M.K.L. to a different school; and incurred costs associated with transporting and relocating M.K.L. to a different school district.

196. As a direct and proximate cause of Defendants' breach of their duties, Plaintiffs have suffered substantial damages in an amount to be determined at trial.

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COUNT IX
Intentional Infliction of Emotional Distress (Outrage)
(All Plaintiffs against All Defendants)

197. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

198. M.K.L. suffered virulent antisemitism for her entire freshman year of high school at Nathan Hale, including racial slurs and insults, offensive drawings of Swastikas, threats of physical violence, and intimidation and bullying in person and online. The antisemitic campaign against M.K.L. culminated in an assault of her by a mob of students that forced her to seek refuge in a locked classroom, while her parents, whom M.K.L. contacted for help, anxiously awaited to learn whether she would survive the school day.

199. Despite having knowledge of specific instances of threatening and abusive behavior toward M.K.L., Defendants intentionally and recklessly failed to intervene, investigate, notify law enforcement, or discipline any aggressors. Even after a mob of approximately 20 students assaulted M.K.L. and forced her to seek refuge within a locked classroom, Defendants refused to offer adequate security protection, leaving M.K.L. no choice but to move to another school district.

200. Defendants were aware of the significant probability that their inaction would cause severe emotional distress but deliberately disregarded such probability.

201. Defendants' indifference to M.K.L.'s plight amounted to extreme and outrageous conduct that went beyond all possible bounds of decency and can only be regarded as atrocious and utterly intolerable in a civilized community.

202. Defendants' extreme and outrageous conduct caused severe emotional distress to Plaintiffs.

203. Due to the trauma that M.K.L. experienced at Nathan Hale, she was diagnosed with post-traumatic stress disorder and suffers from severe anxiety, flashbacks, nightmares and sleep disturbances, and fear of going out in public due to the proximity of her father's residence to one of her tormentors. These symptoms persist to this day.

204. J.K. and R.L. share in M.K.L.'s trauma, as they experienced the virulent antisemitism, including the terrifying mob incident, alongside her. J.K. and R.L. have suffered

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extreme emotional distress from those events, continuously reliving the anguish and internalized guilt of being unable to protect their own child and entrusting her to a school and a principal that allowed all this to happen.

205. As a direct and proximate result of Defendants' extreme and outrageous conduct, Plaintiffs have suffered substantial damages in an amount to be determined at trial.

COUNT X
Negligent Infliction of Emotional Distress
(All Plaintiffs against All Defendants)

206. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

207. As described in more detail above, Defendants breached their duties to exercise reasonable care with respect to Plaintiffs.

208. Defendants' negligence directly and proximately caused emotional distress to Plaintiffs, which was a reasonably foreseeable consequence of their failure to prevent, address, or anticipate the incessant bullying, insults, and threats of aggression described above.

209. Plaintiff M.K.L.'s emotional distress manifested in a formal diagnosis of post-traumatic stress disorder and acute symptoms, such as severe anxiety, fear of going into public, nightmares, and flashbacks.

210. J.K. and R.L. also suffered emotional distress from witnessing the harassment and intimidation of M.K.L., and sharing the horror of the mob incident she experienced. J.K. and R.L. have suffered extreme emotional distress from those events, continuously reliving the anguish and internalized guilt of being unable to protect their own child and entrusting her to a school and a principal that allowed all this to happen.

211. As a direct and proximate cause of Defendants' negligence, Plaintiffs have suffered substantial damages in an amount to be determined at trial.

COUNT XI
Loss of Consortium, Wash Rev. Code Ann. § 4.24.010
(J.K. and R.L. Against All Defendants)

212. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

213. J.K. and R.L. are the parents of M.K.L., a minor.

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214. J.K. and R.L. regularly contributed to the support of their daughter, paying for medical expenses associated with her trauma-related treatment. They also have provided emotional and psychological support by comforting M.K.L. after the incidents of harassment, attempting to relieve her distress, and reporting the abusive behavior from her classmates to Jackson pursuant to SPS's Policies.

215. J.K. and R.L. suffered economic losses in the form of out-of-pocket medical expenses for M.K.L.; lost wages and earning capacity related to time taken from work to address safety concerns, attend meetings with school officials, monitor M.K.L., and apply to transfer M.K.L. to a different school; and out-of-pocket costs associated with transporting and relocating M.K.L. to a different school district.

216. J.K. and R.L. were also deprived of their daughter's love, emotional support, and companionship due to her constant distress. They are unable to participate in routine activities together such as going to grocery stores, coffee shops, or other public places out of fear of revisiting the trauma of M.K.L.'s time at Nathan Hale. The loss of their daughter's affection and participation in family life has caused J.K. and R.L. significant grief, anguish, and suffering.

217. As a direct and proximate cause of Defendants' injury to M.K.L. and the resulting loss of consortium, J.K. and R.L. have suffered substantial damages in an amount to be determined at trial.

PRAYER FOR RELIEF

218. Plaintiffs repeat and reallege the above allegations as if fully set forth herein.

219. WHEREFORE, Plaintiffs respectfully request the Honorable Court to enter final judgment in Plaintiffs' favor and award the following relief:

a. An award for compensatory damages against all Defendants in an amount to be determined at trial;

b. An award for punitive damages against all Defendants in an amount to be determined at trial;

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c. An award against all Defendants for all other recoverable damages including, without limitation, general, actual, consequential, economic, special, liquidated, nominal, and incidental damages in amounts to be determined at trial;

d. A declaratory judgment in Plaintiffs' favor pursuant to 28 U.S.C. § 2201;

e. An order compelling permanent, prospective injunctive relief in Plaintiffs' favor;

f. Pre-judgment and post-judgment interest as permitted by law;

g. Compensation for any tax penalty associated with a recovery;

h. Attorney's fees and costs which Plaintiffs have incurred or will incur in prosecuting this action as permitted by law; and

i. Such other relief as the Court deems just and proper.

REQUEST FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury as to all issues triable by jury, as enumerated and set forth in more detail in this Complaint.

Dated: November 20, 2025

/s/ Albert H. Kirby

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